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STONEBRIDGE LIFE INSURANCE COMPANY

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TERRI SMITH and MICHELE  
SMITH FREGOSO,

Plaintiffs,

vs.

STONEBRIDGE LIFE  
INSURANCE COMPANY,

Defendant.

Case No. C 08-01466 JCS

Magistrate Judge Joseph C. Spero

EVIDENTIARY OBJECTIONS TO  
DECLARATION OF JOHN STENNETT  
IN SUPPORT OF OPPOSITION TO  
PLAINTIFFS' MOTION FOR PARTIAL  
SUMMARY JUDGMENT ON  
PLAINTIFFS' FIRST CAUSE OF  
ACTION FOR BREACH OF  
CONTRACT

[Filed concurrently with:  
(1) Opposition to Plaintiffs' Motion for  
Partial Summary Judgment;  
(2) Declaration of Cheryl Penner;  
(3) Declaration of Joseph E. Laska; and  
(4) Evidentiary Objections to Declaration of  
Michele Smith Fregoso.]

Hearing Date: September 26, 2008  
Hearing Time: 9:30 a.m.  
Courtroom: A

Action Filed: September 5, 2007

1 Defendant Stonebridge Life Insurance Company (“Stonebridge”) submits  
2 these evidentiary objections to the Declaration of John Stennett in support of  
3 Stonebridge’s Opposition to Plaintiffs’ Motion for Partial Summary Judgment.

4 Stonebridge objects to Exhibit 2 to the Stennett Declaration, which purports  
5 to be “true and correct copies of the ‘Findings of Fact and Conclusions of Law  
6 Following Bench Trial’ filed February 18, 2004 from *Legare v. Canada Life*  
7 *Assurance Company*, U.S. District Court, Southern District of California, Case  
8 Number 02-CV-0798,” on the ground that Plaintiffs did not ask the Court to take  
9 judicial notice of this purported order as required by Federal Rule of Evidence 201.

10 Stonebridge further objects to the contents of Exhibit 2 on the ground that  
11 they are inadmissible hearsay and double hearsay. Fed. R. Evid. 801-04.

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13 Dated: August 29, 2008

MANATT, PHELPS & PHILLIPS, LLP  
MARGARET LEVY  
JOSEPH E. LASKA

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16 By: /s/ Joseph E. Laska  
17 Joseph E. Laska  
18 *Attorneys for Defendant*  
STONEBRIDGE LIFE  
INSURANCE COMPANY